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His Excellency Emmerson

Dambudzo Mnangagwa

Président of the Republic of

Zimbabwe

Harare

Zimbabwe

04 February 2020

Dear Mr. President,

Protest against harassment and judicial persecution of Trade Unionists

The African Regional Organization of the ITUC-Africa International Trade Union Confederation (www.ituc-africa.org) representing 17 million working women and men in Africa writes to express its concern about the continued harassment and attacks on trade unions and their leaders in Zimbabwe.

We have followed with great concern the alarming situation facing leaders and members of the Zimbabwe Congress of Trade Unions (ZCTU) in recent years including the continuing harassment of their top leaders. After the release from jail of Peter Mutasa and Japhet Moyo (ZCTU President and Secretary General respectively) about a year ago, we remain concerned by the ongoing persecution of other trade unionists including Dickson Chaeruka and 18 others arrested by your government in Mutare in October 2018 following a ZCTU protest action against the introduction of the transaction tax on money transfers. The 19 ZCTU members have appeared in court more than 11 times and are set to appear in court again today.

Your Excellency, we again deplore the continued persecution of 8 union officials from the Energy Sector Workers Union of Zimbabwe (ESWUZ), an affiliate of the ZCTU, arrested in March 2018 during a hearing at the Zimbabwe Electricity Supply Authority (ZESA). Although the 8 unionists have been reinstated to work following your intervention, they remain labelled criminals. Mr. Thomas Masvingwe, General Secretary of the National Energy Workers Union of Zimbabwe (NEWUZ), is also facing criminal charges since March 2018 for leading a strike against ZESA. Furthermore, the ZCTU 2nd Vice President Mr. John Chirenda remains dismissed by the Zimbabwe Revenue Authority (ZIMRA) for representing workers at that workplace.

We call for the criminal charges against them to be dropped and for the amendment of the draconian anti-union laws in Zimbabwe. Workers do have the right to express their views on government economic programs through peaceful protests in an atmosphere free from fear, intimidation, coercion, repression and violence.

ITUC-Africa joins the International Trade Union Confederation to demand that your government take the following measures as a matter of urgency:

1. Amend all pieces of legislation including the Criminal Law Codification and Reform Act, the Maintenance of Peace and Order Act, the Labour Act, the Public Service Act, the Health Services Act to comply with UN standards on the rights to freedom

of peaceful assembly and of association, taking into account the recommendations of the UN's Joint report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on extrajudicial, summary or arbitrary executions on the proper management of assemblies, 20 16 (AIHRC/31/66);

2. Align legislation and putting into practice the principles of the ILO Conventions on Freedom of Association and Protection of the Right to Organise, 1948 (C87) and the Right to Organise and Collective Bargaining, 1949 (C98);
3. Implement the recommendations of the ILO Committee on the Application of Standards (CAS) adopted by the International Labor Conference in June 2019, including accepting an ILO Direct Contact Mission to assess progress in this regard;
4. Embrace a culture of social dialogue in the development of socio-economic policies through the Tripartite Negotiating Forum (TNF);
5. Respect for the rule of law and human rights;
6. Accept the United Nations (UN) intervention or mediation in settling the internal political problems of Zimbabwe with the participation of labour unions and civil society broadly to agree on the way forward for the country.
7. Put an immediate stop to the harassment of unionists by state security forces and judicial persecution and withdraw all pending criminal charges against them.
ITUC-Africa calls on your government to engage in good faith negotiations with the ZCTU leadership to agree on a peaceful and constructive way out of the current economic crisis with full respect for human and workers' rights.

Yours sincerely,



Kwasi Adu-Amankwah
General Secretary, ITUC-Africa